

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CHRISTOPHER D., ¹)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 7:20-cv-00651
)	
KILOLO KIJAKAZI, Acting)	By: Elizabeth K. Dillon
Commissioner, Social Security)	United States District Judge
Administration,)	
)	
Defendant.)	

ORDER

In this social security case, plaintiff Christopher D. and defendant Kilolo Kijakazi, Acting Commissioner of the Social Security Administration (the Commissioner), both move for summary judgment under Federal Rule of Civil Procedure 56. (Dkt. Nos. 15, 17.) Pursuant to 28 U.S.C. § 636(b)(1)(B), the court referred the motions to U.S. Magistrate Robert S. Ballou for a report and recommendation (R&R).

On January 5, 2022, the magistrate judge issued his R&R, recommending that the court grant the Commissioner's motion, deny Christopher D.'s motion, affirm the final decision of the Commissioner, and dismiss this case from the court's docket. (R&R 13, Dkt. No. 19.) The magistrate judge also advised the parties of their right under 28 U.S.C. § 636(b)(1)(C) to file written objections to his proposed findings and recommendations within 14 days of service of the R&R. (*Id.*)

¹ Due to privacy concerns, the court is adopting the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States that courts only use the first name and last initial of the claimant in social security opinions.

The deadline to object to the R&R has passed, and no party has filed an objection. “[I]n the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Upon reviewing the record here, the court is satisfied that there is no clear error.

Accordingly, the court hereby ORDERS as follows:

1. The R&R (Dkt. No. 19) is ADOPTED;
2. The Commissioner’s motion for summary judgment (Dkt. No. 17) is GRANTED;
3. Plaintiff’s motion for summary judgment (Dkt. No. 15) is DENIED; and
4. The final decision of the Commissioner of Social Security is AFFIRMED.

An appropriate judgment order will be entered.

Entered: March 14, 2022.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
United States District Judge